

LAW OFFICES OF JERRY C. EFFREN

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Of Counsel

Barry L. Queen

November 1, 1999

Mr. Muthu Sundram
Assistant Regional Counsel
Office of Regional Counsel
New Jersey Superfund Branch
U.S. Environmental Protection Agency
290 Broadway - 17th Floor
New York, New York 10007-1866

Re: LCP Chemicals, Inc. Superfund Site

NOV 03 1999

Dear Mr. Sundram:

Please be advised that I am corporate counsel to FIBA Technologies, Inc. d/b/a FIBA Compressed Gas Equipment. I have been provided with a copy of your February 18, 1999 notice addressed to John Finn, President of FIBA Compressed Gas Equipment/Ultra Pure Compressed Gases identifying those "entities" as a PRP with respect to the above-referenced site.

I have also been provided with your Requests for Information Under Section 104 of CERCLA dated February 18, 1999, April 19, 1999 and September 16, 1999 and the copies of the prior responses to those reports. I enclose herewith the Response to the September 16, 1999 request with the required attached certification.

FIBA Technologies, Inc. was not then and is not now affiliated with Ultra Pure Compressed Gases, Inc., ("Ultra Pure"), a defunct New Jersey Corporation originally formed on or by John Finn of FIBA and Thomas Sabino of Airdyne Industries on August 3, 1990. Ultra Pure distributed hydrogen, which was trucked to the Linden, New Jersey Site by Union Carbide Corporation. According to an inquiry made to the New Jersey Department of Corporations, Ultra Pure was dissolved on February 28, 1994 for failure to file required annual reports of condition. The Company had ceased doing business at the Site in early 1992. No assets were distributed, as the Company was insolvent.

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An inquiry made to the All-State Legal Supply, Inc. the incorporator, and Attorney Alfonsee J. Cifelli, disclosed no records pertaining to the Company whatsoever. I enclose herewith a copy of the Company's Certificate of Incorporation.

An accurate description of Ultra Pure's business operations is contained within the cover letter of Robert Morrison dated March 20, 1999 to the Response for Request for Information dated February 18, 1999. At no time did Ultra Pure ever utilize any of the production equipment, pipes, systems, conduits, containers or facilities of LCP Chemicals or in any way succeed to or continue or modify any of the LCP's operations. It was involved only in the distribution of hydrogen contained in cylinders to commercial customers. The Hydrogen trucked to the site was delivered and stored in a cryogenic state, in a tank, which was leased from Union Carbide Corporation, which had operated hydrogen compressing, and distribution facility on a part of the Site prior to the summer of 1990. Ultra Pure leased a very small portion of the Site to conduct its operations. Based on memory of the checks sent for rent, the lease was most likely from the Hanlin Group, owner of the property at that time Ultra Pure's designated small area was fenced from the remainder of the Site, which was vacant at that time. Ultra Pure did not commence operations until long after the termination of the chlorine production and chemical manufacturing operations at the Site.

FIBA had a vendor relationship with Airdyne Industries, Inc., Mr. Sabino's Company, in the supplying of leased tube trailers for the transportation of compressed industrial gases both before and after the Ultra Pure Venture. Airdyne fell behind on its payments, FIBA initiated collection actions. Ultimately, Airdyne filed bankruptcy in the U.S. Bankruptcy Court, Southern District of New York in September of 1994, Bankruptcy Case No. 94B44328). The case was converted into a Chapter 7 on February 7, 1996. I believe the case was administered to closure.

Based on materials received by FIBA as a creditor in the Bankruptcy, the last known address to FIBA as of 1996 of Mr. Thomas Sabino was 75 Stony Ridge, Saddle River, New Jersey.

As counsel to FIBA, I have requested that my client again search for any additional information or records in any way pertaining to this Site. The delay in their response to your September 16, 1999 Request For Information was made necessary solely to ensure the accuracy of the representations now and previously made and to make sure no additional information is available which may be responsive to your requests, taken cumulatively. Please be advised that after such search, no additional information is available.

Mr. Muthu Sundram
Assistant Regional Counsel
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Based on the foregoing, I would request that you provide me, based on the results of your investigation to date, including any analytical data, the basis for the government's continued assertion of its claim against FIBA Technologies, Inc. for response costs and to perform response actions as a PRP at the Site. Furthermore, if based on such investigation and the information received, no basis for liability exists, I request that you send me confirmation that FIBA Technologies, Inc. is to be deleted as a PRP at this time.

Very truly yours,

LAW OFFICES OF JERRY C. EFFREN



Jerry C. Effren

JCE/dpm
Enclosures
cc: FIBA Technologies, Inc.
Patricia Simmons – Remedial Project Manager

**ROBERT B. MORRISON, CPA
13659 PROVIDENCE ROAD, SUITE F
MATTHEWS, NC 28104**

September 30, 1999

Ms. Patricia Simmons, Remedial Project Manager
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway, 20th Floor
New York, NY 10007

In re: Follow-up Response to Request for Information on Remedial
Investigation/Feasibility Study at the LCP Chemicals, Inc. Superfund Site,
Linden, New Jersey

Dear Ms. Simmons,

This letter is in response to the September 16, 1999 letter from Janet
Feldstein, to John F. Finn.

Enclosed, please find: Answers to the Request for Information and
Certification of Answers to Request for Information.

If you have any questions or if I can be of any further assistance, please
contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert B. Morrison", with a stylized flourish at the end.

Robert B. Morrison, CPA

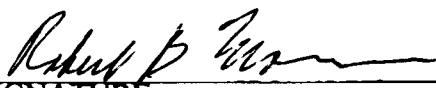
Cc: Mr. Muthu Sundram, Esq., Assistant Regional Counsel

ANSWERS TO REQUEST FOR INFORMATION

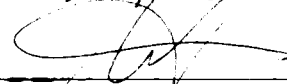
1. To the best of my knowledge, there was no past relationship between UltraPure Compressed Gases and LCP Chemicals, Inc.. UltraPure rented the premises from the Hanlin Group, LCP's parent company, This was for the period in 1990 and ended sometime in 1992. No other relationship existed since that date between the two companies and currently there is no relationship between the two companies.
2. To the best of my knowledge, there has been no past or present relationship between FIBA Compressed Gas Equipment and LCP Chemicals, Inc.
3. Other than as a tenant of a small portion of the Site from 1990 to 1992, to the best of my knowledge, there is no relationship, past or present, between UltraPure Compressed Gases and any other entity that operated at, or in any way associated with the LCP Chemicals, Inc. Superfund Site in Linden, NJ.
4. To the best of my knowledge, FIBA Compressed gas Equipment, has no past or present relationship with any entity that operated at, or in any way associated with the LCP Chemicals, Inc. Superfund Site in Linden, NJ.
5. ROBERT B. MORRISON
13659 Providence Road, Suite F
Matthews, NC 28104
Tele: 704-814-4820
Certified Public Accountant
6. The addressee, John F. Finn, is President of FIBA. The person answering this "Request for Information", Robert B. Morrison, is Chief Financial Officer of FIBA.
 - (a) CFO
 - (b) About 10 years.
 - (c) John F. Finn authorized Robert B. Morrison to gather information and to respond to the requests for information from the EPA. This was done upon receipt of the first request, on or about February 18, 1999.
 - (d) John F. Finn, President
7. John F. Finn, to the best of his knowledge, assisted in response #1.
8. Certification of Answers is attached.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATIONState of PennsylvaniaCounty of Worcester

I certify under penalty of law that I have personally examined and am familiar with the Information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

ROBERT B MORRISON
NAME (print or type)CFO
TITLE (print or type)
SIGNATURE

Sworn to before me this

5th day of September, 1999

Notary Public

MY COMMISSION EXPIRES AUG. 11, 2000

TOTAL P.03

FILED

Certificate of Incorporation

AUG 3 1990

of

Ultra Pure Compressed Gases, Inc.

JOAN HABERLE
Secretary of State

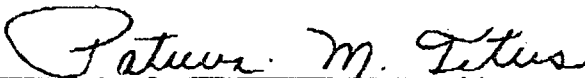
THIS IS TO CERTIFY THAT there is hereby organized a corporation under and by virtue of N.J.S. 14A:1-1 et seq., the "New Jersey Business Corporation Act."

1. The name of the corporation is Ultra Pure Compressed Gases, Inc.
2. The address of the corporation's initial registered office is Fiorello, Corrado, Corcoran, Cifelli & Damiano, 150 Clove Road, P.O. Box 450, Little Falls, NJ 07424. The name of the registered agent at such address is Alfonse J. Cifelli, Esq.
3. The purpose for which this corporation is organized is to engage in any activity within the purposes for which corporations may be organized under the "New Jersey Business Corporation Act," N.J.S. 14A:1-1 et seq.
4. The aggregate number of shares which the corporation shall have authority to issue is 1,000 shares without par value.
5. The number of directors constituting the initial Board of Directors of this corporation is three (3). The name and address of each person who is to serve as such Director is:

John Finn, 97 Turnpike Road, Westboro, MA 01581.
Thomas Sabino, 455 Trumbull Street, Elizabeth, NJ 07206.
Clifford Jones, 61 Stiles Street, Clarksburg, West Virginia 26301.

6. The name and address of the incorporator is All-state Legal Supply Co., 172 West State Street, Trenton, NJ 08608.

In Witness Whereof, each individual incorporator, being over eighteen years of age has signed this certificate; or if the incorporator be a corporation has caused this certificate to be signed by its duly authorized officer this 3rd day of August, 1990.


Patricia M. Titus, Vice President

All-state Legal Supply Co.
172 West State Street
Trenton, NJ 08608

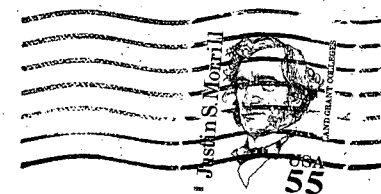
FILED FOR: Alfonse J. Cifelli, Esq.
Fiorello, Corrado, Corcoran, Cifelli &
Damiano
150 Clove Road
P.O. Box 450
Little Falls, NJ 07424

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